

AO 91 (Rev. 02/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

SEP 19 2016

Clerk of Court

United States of America
v.
GUSTAVO GARZA RESENDEZ
YOB: 1965
MEX

Defendant

Case No.

M-16-1740-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 09/17/2016 in the county of Hidalgo in the Southern District of Texas, the defendant violated 21 U. S. C. § 841(a)(1) and 846

, an offense described as follows:

Possession of a Controlled Substance (Cocaine) with Intent to Distribute and Conspiracy to Possess with Intent to Distribute a Controlled Substance (Cocaine) in Penalty Group II.

This criminal complaint is based on these facts:

See attachment

☒ Continued on the attached sheet.



Complainant's signature

Mark A. Garza, Special Agent

Printed name and title

Approved to file by Special Agent
Sworn to before me and signed in my presence.

Date: 09/19/2016

City and state: McAllen, Texas



Judge's signature

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

ATTACHMENT II TO A091, CRIMINAL COMPLAINT, SEPTEMBER 19, 2016

DPS CASE 2016I-CID3-50006580

On 9-17-2016 at approximately 2:00pm, Texas Department of Public Safety (DPS) Criminal Investigations Division (CID) Special Agent (SA) Mark Garza responded to the Encino, Texas United States Border Patrol (USBP) checkpoint in reference to a narcotics seizure by a Texas Highway Patrol (THP) Trooper. Once at the checkpoint, SA Garza learned that at approximately 12:35pm, Trooper Mason Wilhite conducted a traffic stop on US 281 in North Edinburg, Texas. The traffic stop was conducted on a black 2009 Volkswagon Jetta displaying Tamaulipas license plates 120TRM1, due to the Jetta traveling on the improved shoulder when prohibited. Trooper Wilhite made contact with the driver who was identified as GUSTAVO GARZA RESENDEZ. During the course of the traffic stop, Trooper Wilhite discovered many inconsistencies with RESENDEZ' trip to the Corpus Christi, Texas area. Trooper Wilhite later obtained verbal consent from RESENDEZ to search RESENDEZ' Jetta. Trooper Wilhite was later able to observe bundles that appeared to be narcotics in the rear frame rail of the Jetta. Trooper Wilhite escorted RESENDEZ to the Encino USBP Checkpoint and later seized (6) six kilogram sized bundles of cocaine from within the frame rail of the Volkswagon Jetta. The bundles had a gross weight of 6.90 kilograms. RESENDEZ was arrested for possession of controlled substance. RESENDEZ was advised of his Miranda Warnings and RESENDEZ waived his right to an attorney and agreed to cooperate. RESENDEZ stated he was transporting the narcotics to the Corpus Christi area for a man that's from the Reynosa area. Once in Corpus Christi, RESENDEZ would find a hotel to rent. RESENDEZ would then make contact with the man from Reynosa and provide him with

the address of the hotel RESENDEZ would be staying at. The man from Reynosa would then contact an unknown individual(s) to go and pick up the Jetta from the hotel so that the narcotics could be removed from the Jetta. The Jetta would then be returned back to RESENDEZ. RESENDEZ stated he would be getting paid approximately \$4,000 dollars to transport the narcotics.